**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7659 OF 2005**

Anil Bharat Kattimani .... Petitioner

Vs.

State of Maharashtra & Ors. .... Respondents

Mr. R.K. Mendadkar & Ms. H.K. Mandlik for Petitioner.

Mr. P.P. Kakade, AGP for Respondent nos. 1, 2 & 4.

**CORAM : S.B. MHASE, AND**
**R.S. MOHITE, JJ**

**DATE : 25TH JUNE, 2007**

P.C.

1) Heard Mr. Mendadkar, learned counsel for Petitioner.

2) The petitioner claims to be belonging to Mahadeo Koli community. The original record has been considered by the Scrutiny Committee and thereafter it has been rightly concluded that the petitioner does not belong to the Mahadeo Koli community.

3) Learned counsel for the petitioner submitted the Birth Extract of October 1950 which

has been obtained from the Solapur Municipal Corporation. He states that the said Birth Extract is of his father. However name of the petitioner's father is Bharat. In this Extract, it is shown that a son is born to one Mukundrao Chandana. However, in the remarks column, it has been stated that there is correction in respect of this entry to the effect that the name of Mukundrao shall be read as 'Hullappa'. Thus who is Hullappa is not known. The name of the petitioner's father is Bharat and and grandfather is Hullappa and therefore the entry cannot be related with the petitioner in any manner. This entry of the Corporation appears to have been challenged on 24/07/2006. Thus, what appears is that taking into consideration, the benefit of certain mere entries in the records, the record is tried to be manipulated to snatch the benefit of Mahadeo Koli tribe.

4) Taking into consideration, we find that the attempt is fraudulent one. Petition, is therefore rejected.

**(R.S. MOHITE, J.)** **( S.B. MHASE, J.)**